REMARKS

Claims 1-17 are pending in the present application. In the Office Action dated December 20, 2005 the Examiner has rejected Claims 4, 8, 9, 11, and 14 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,363,349 to Urs *et al.* ("Urs"). The Examiner further rejected Claims 1, 2, 13, 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Urs in view of U.S. Patent No. 6,398,105 to Ramberg *et al.* ("Ramberg"). The Examiner further rejected Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Urs in view of Ramberg and in further view of U.S. Patent Publication No. 2001/0033643A1 to Mulvey ("Mulvey"). The Examiner further rejected Claims 5, 6 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Urs in view of US Patent Publication No. 2002/0103639A1 to Chang *et al.* ("Chang"). The Examiner further rejected Claims 7 and 15 under 35 U.S.C. § 103(a) as unpatentable over Chang in view of Urs. Finally the Examiner rejected Claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Urs in view of Mulvey. Applicant has added new Claims 18 and 19.

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and the following remarks.

AMENDMENTS TO CLAIMS REJECTED UNDER 35 U.S.C. § 102(E)

The Examiner has rejected Claims 4, 8, 9, 11, and 14 under 35 U.S.C. § 102(e) as being anticipated by Urs. With reference now to the claims, differences between the applied reference and the claim language will be specifically pointed out. Claim 4, as amended, recites in pertinent part: "directly receiving at a user input unit a phonation inputted for the voice transmission; if the selected address is associated with a speech recognition device, processing the received phonation at the user input unit according to an algorithm associated with the speech recognition device. Further, Paragraph 20 and Figure 4 in the current published application (US 2002/0143552 A1) recites in pertinent part: "[i]n a first embodiment (FIG. 4) where distribution gateway functions are *performed at user origination unit or transmitter* 12, a *processor at the*

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701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

user origination unit or transmitter 12 is defaulted to process an outbound voice signal with an algorithm optimized for delivery to an ASR server." (emphasis added). Contrast "a *processor at the user origination unit or transmitter 12 is defaulted to process"* with the language of Urs at col 4 line 39-43 "[i]n the preferred embodiment, the data path between the communication unit 102 and the distributed speech processing unit 116 is established *via a data communication network such as the Internet* 114." The foregoing quotations show that Urs teaches sending the transmission through a data communication network in order to process the data. In contrast, in claim 4, for example, processing is instead *performed at user origination unit or transmitter.*

Referring now to Urs, column 2, lines 44-50, "[t]he communication infrastructure establishes a voice path between the communication unit and the communication device using a wireless communication resource *and* establishes a data path between the communication unit and a distributed speech processing unit using the wireless communication resource." Referring now to Urs, column 3, lines 1-7 "[t]he communication unit further *requests a voice connection*, as provided by the communication service, between the communication unit and a communication device and *requests a data connection*, as provided by the communication service, between the communication unit and a distributed speech processing unit." (Emphasis Added). Referring now to Urs, column 5, lines 8-16, "[e]ither voice or data may be requested as the first mode. If voice is requested as the first mode, *the voice path is preferably established* as described above. *The data path is then preferably established*, as described above, in response to the receipt of a data path request associated with the communication service request." (Emphasis Added). As shown in the above quotations Urs requires a voice path and a data path. Therefore by establishing both a data path and a voice path, Urs does not determine a signal path based upon a selected address but merely establishes all available paths and routes the signal accordingly. Claim 4 and all claims depending from Claim 4 are therefore now in allowable form.

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Claim 8, as amended, recites in pertinent part: "...a *preprocessing component* configured to determine a transmission destination and to determine from the destination *a signal path*; a processing component configured to determine a signal processing algorithm from a plurality of signal processing algorithms based on the transmission destination, and process the signal according to the determined algorithm..." (Emphasis added). Urs does not determine the signal path from the destination; rather, Urs requires an indication of the appropriate path as part of a service request (see Urs col. 4, lines 33-34). Urs does not disclose a preprocessing component or determining a signal path at the preprocessing stage. Claim 8 is therefore now in allowable form. Claims depending from Claim 8 are also allowable based upon the base claim and further in view of the additional limitations of the dependent claims.

Claim 11, as amended, now recites: "...a first component configured to select an address for a voice transmission...a second component configured to receive a phonation inputted at a user input for the voice transmission...*a third component configured to determine a signal path based on the address*...a fourth component configured to process the received phonation according to an algorithm associated with a speech recognition device, if the selected address is associated with a speech recognition device and send the processed phonation to a selected transmission destination... and...a fifth component configured to process the received phonation at the user input unit according to an algorithm associated with human auditory means and send the processed phonation to the selected address, if the selected address is not associated with a speech recognition device." (Emphasis added). Urs does not disclose preprocessing the voice signals to determine a signal path based on the address. Claim 11 is therefore now in allowable form.

Claim 14, as amended, recites: "...*means for preprocessing the transmission and determining a signal path based on transmission destination*..." (Emphasis added). Again, Urs simply does not disclose a signal preprocessing means or determining a signal path at the preprocessing step. Claim 14 is therefore now in allowable form.

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701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
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AMENDMENTS TO CLAIMS REJECTED UNDER 35 U.S.C. § 103(A)

The Examiner rejected Claims 1, 2, 13, 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Urs in view of Ramberg. With reference now to the claims, differences between the applied reference and the claim language will be specifically pointed out. Claim 1, as amended, recites in pertinent part: *preprocessing* the signal to determine a transmission destination; *determining a signal path and a processing algorithm* from a plurality of signal processing algorithms based on the transmission destination. As previously demonstrated, Urs does not teach preprocessing the signal in this manner. Further Urs does not teach or suggest determining a signal path, because Urs always establishes both a voice and a data path. Finally, Urs doesn't determine which signal path to establish from the destination; rather, Urs establishes both paths, and to determine which to use, requires an indication of the appropriate path as part of a service request (see Urs col. 4, lines 33-34). Neither Urs nor Ramberg determine a signal path based on the destination. Therefore it would not be obvious to one skilled in the art to use destination as the basis for determining which signal path to utilize.

Now, referring to Page 6 of the Office Action, the Examiner admits that Urs does not teach preprocessing a signal to determine the transmission destination. In order to reject Claim 1, the Examiner combines Urs with Ramberg. Ramberg teaches a data collection system and not distributed speech processing in a communication system. Therefore, because the Examiner may not pick and choose among individual elements of assorted prior art references to recreate the claimed invention absent some teaching or suggestion in the references to support the use in the particular claimed combination, the combination of Urs, which does need to identify voice data, because all transmissions are made by voice and inherently include a voice signal path, and Ramberg, a system that teaches identifying voice data and sending the data to a speech recognition model, is invalid. Ramberg processes multiple types of data therefore has a need to

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701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

determine voice data. As shown above Urs does not have a need to identify voice data. Claim 1 and all Claims depending from Claim 1 are therefore now in allowable form.

Claim 13, as amended, recites in pertinent part: "*...means for preprocessing the signal to determine a transmission destination;* means for determining a *signal path* and a processing algorithm from a plurality of signal processing algorithms based on the determined address ..." (Emphasis added). Urs does not disclose a corresponding preprocessing means. Further, Urs doesn't determine the signal path from the destination; rather, Urs requires an indication of the appropriate path as part of a service request (see Urs col. 4, lines 33-34). Neither Urs nor Ramberg determine a signal path based on the destination. Claim 13 is therefore now in allowable form.

Claim 16, as amended, recites in pertinent part: *preprocessing* the signal to determine a transmission destination; searching a *database lookup table* for the transmission destination in order to match the transmission destination to a signal processing algorithm from a plurality of signal processing algorithms; executing an optimization algorithm on the signal; *establishing a signal path...*" Urs does not disclose a preprocessing component or establishing a signal path. Further, searching a *database lookup table* for a transmission destination in order to match the transmission destination to a signal processing algorithm from a plurality of signal processing algorithms and executing an optimization algorithm on the signal, is not inherent because it requires a match between an entry in the database lookup table and the transmission destination. Based on the determined match a signal processing algorithm is determined. Urs does not have a need to determine a signal processing algorithm because by establishing both a data and phone line it inherently allows for a predefined signal processing algorithm. Further, Urs teaches away from this determination because in column 4, lines 33-52 Urs determines a signal path that corresponds to the communication service request and not a "transmission destination." In this case a user request and an automatic destination analysis are two divergent principles. Finally,

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Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

neither Urs nor Ramberg determine a signal path based on the destination. Claim 16 and all Claims depending from Claim 16 are therefore now in allowable form.

The Examiner rejected Claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Urs in view of Chang. Claim 12, as amended, recites in pertinent part: "...a first component configured to process a phonation at a user input source for reception by a human recipient...a second component configured to send the processed phonation to a transmission destination according to an address associated with the phonation *on a determined signal path*... a third component configured to receive a change signal from the transmission destination...and...a fourth component configured to process a next phonation for reception by a speech recognition server according to a received change signal, and send the newly processed phonation to the transmission destination *on the signal path.*" (Emphasis added). Again, Urs does not disclose determining a signal path. Claim 12 is therefore now in allowable form.

The Examiner rejected Claims 7 and 15 under 35 U.S.C. § 103(a) as unpatentable over Chang in view of Urs. The Applicant submits herewith a Declaration of Prior Invention effective to overcome the Chang reference. Accordingly, the Examiner is respectfully requested to withdraw all rejections based on the Chang reference.

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701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

CONCLUSION

All claims are now in condition for allowance. A Notice of Allowance is therefore respectfully requested. If the Examiner has any questions, the Examiner is invited to contact the Applicant's attorney listed below.

Respectfully submitted,

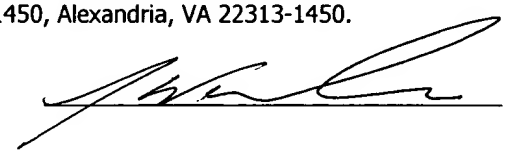
BLACK LOWE & GRAHAM PLLC

P. G. Scott Born
Reg. No. 40,523
Tel. No. 206.381.3300

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

05/22/06
Date of Deposit



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Seattle, Washington 98104
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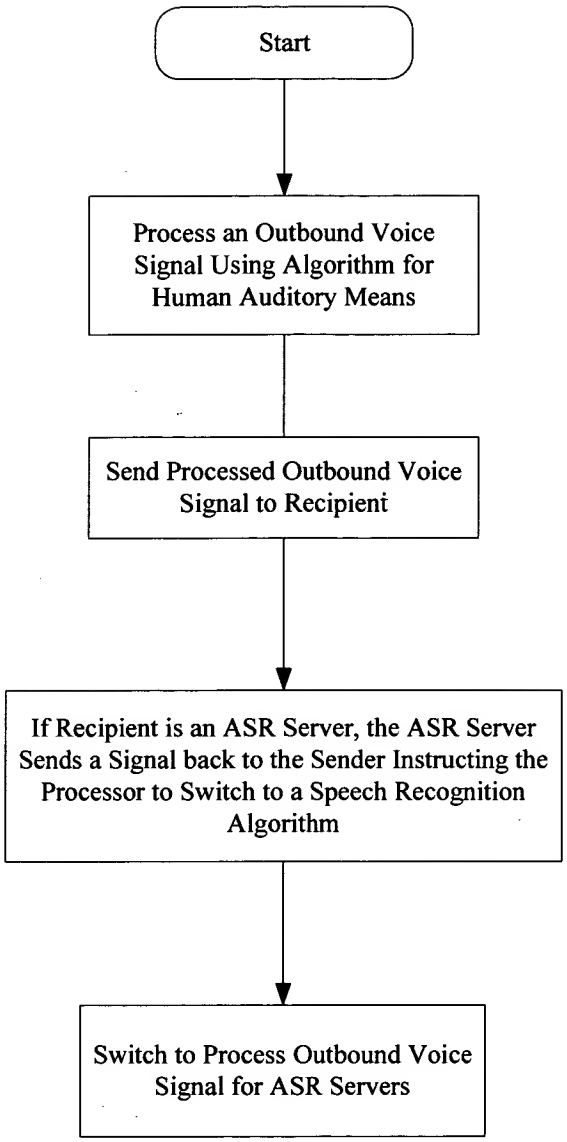

EXHIBIT A

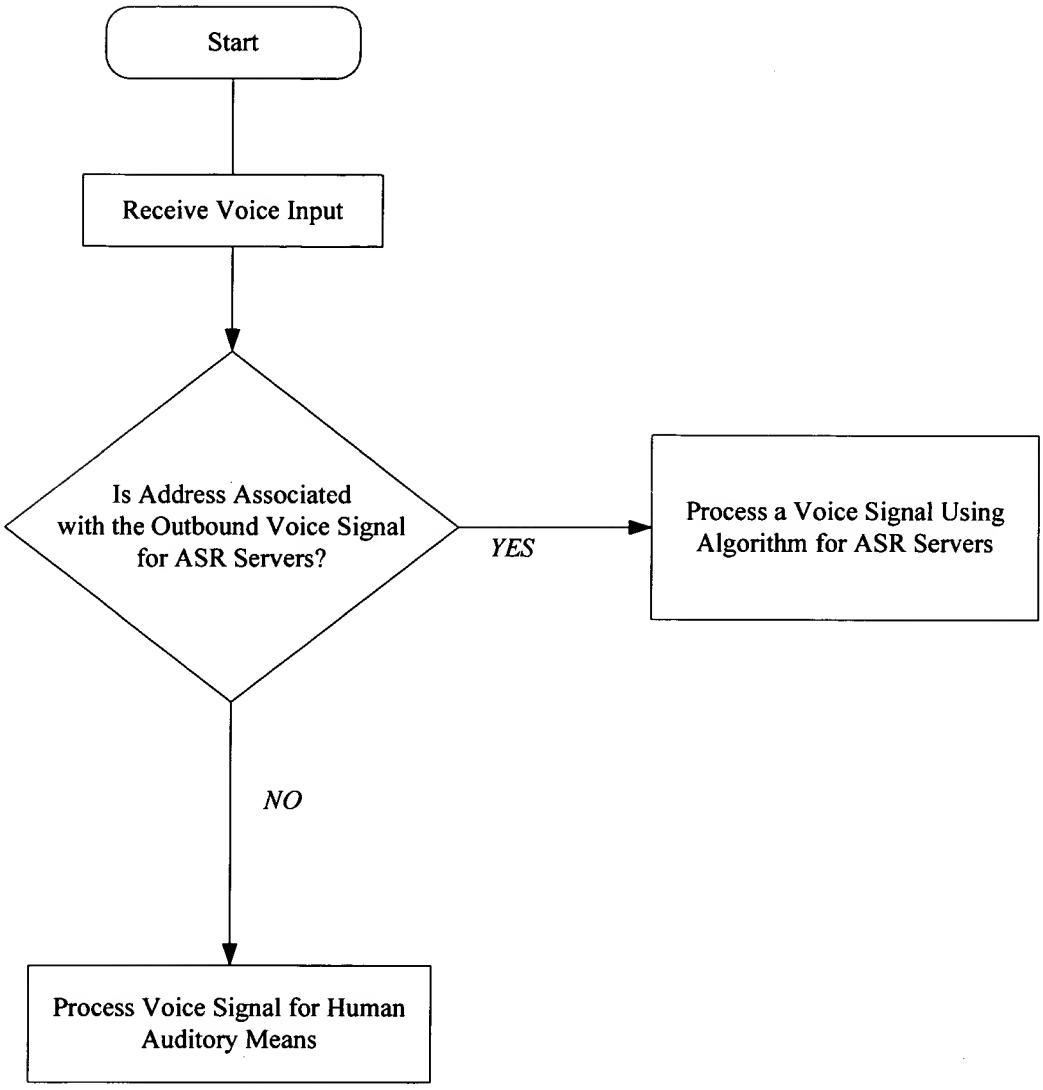
Start
Receive Voice Input
Is Address Associated with the Outbound Voice Signal for ASR Servers?
YES
Process a Voice Signal Using Algorithm for ASR Servers
NO
Process Voice Signal for Human Auditory Means

EXHIBIT B

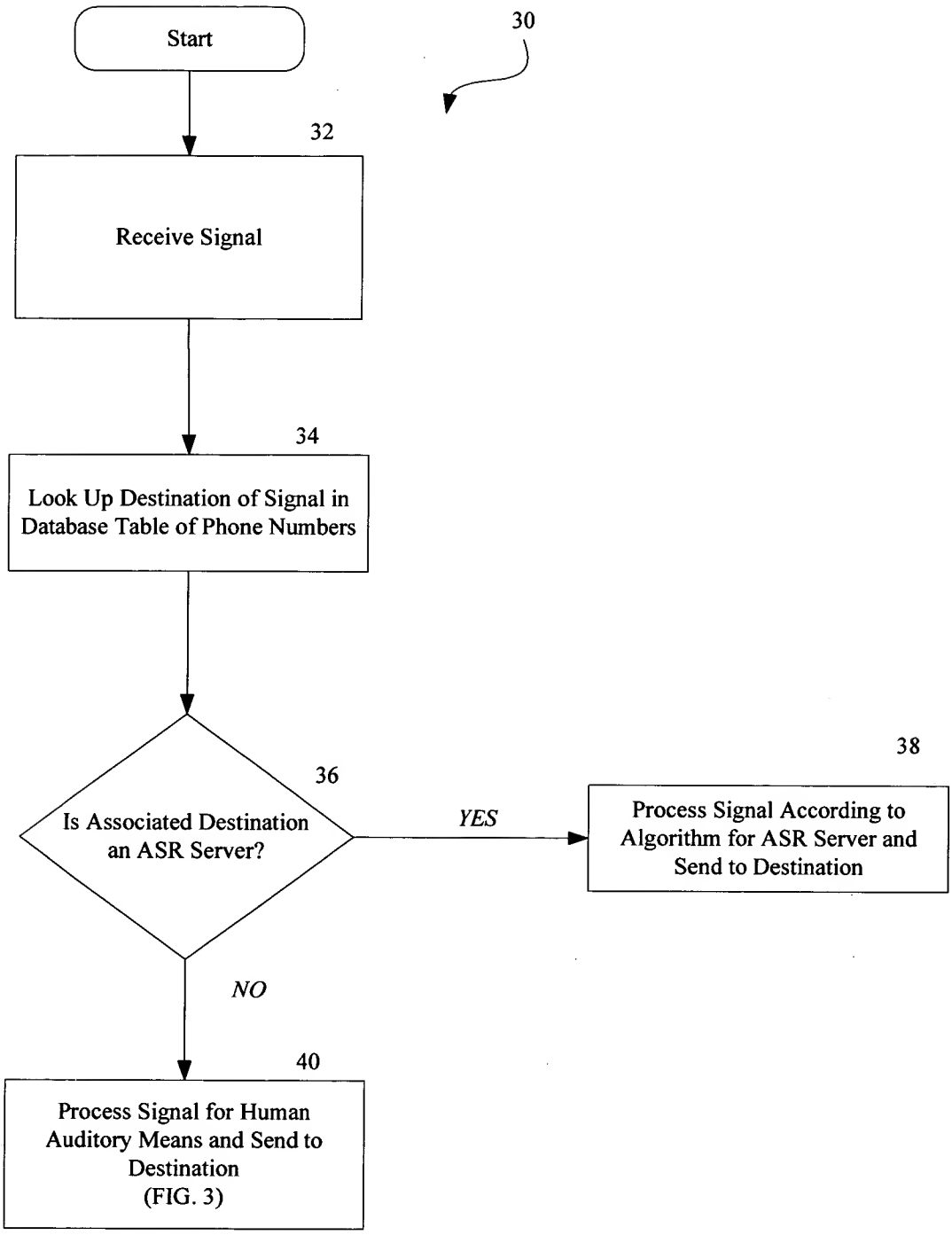
Start
30
32
Receive Signal
34
Look Up Destination of Signal in Database Table of Phone Numbers
36
Is Associated Destination an ASR Server?
YES
38
Process Signal According to Algorithm for ASR Server and Send to Destination
NO
40
Process Signal for Human Auditory Means and Send to Destination
(FIG. 3)

EXHIBIT C

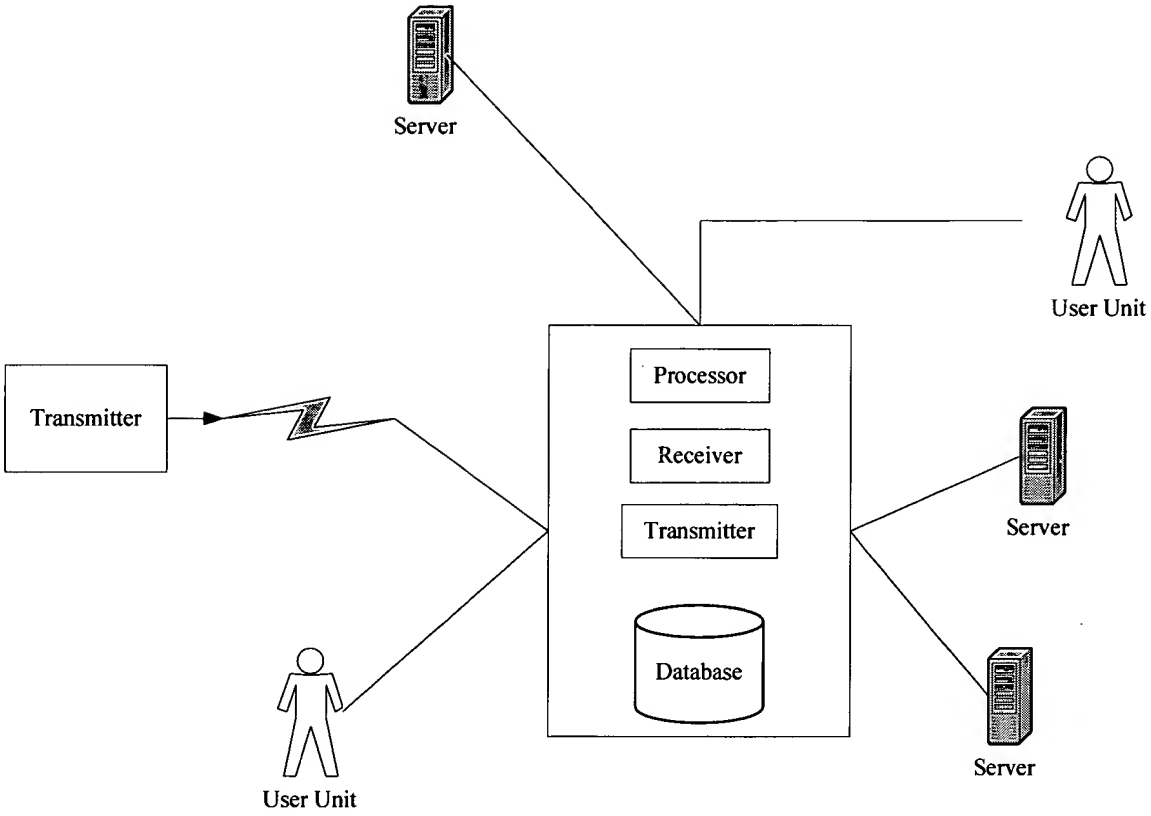
Server
User Unit
Transmitter
Processor
Receiver
Transmitter
Database
Server
User Unit
Server

EXHIBIT D